

REMARKS

Prior to addressing the merits of the Office Action, applicants would like to point out an apparent discrepancy in the claims added by Preliminary Amendment and not previously addressed. In the Preliminary Amendment, new claims 50-56 were submitted. In the new claims, claim 52 was listed twice, although the subject matter of both claims 52 is different. Applicants had intended to submit claims 50-57, with the second claim 52 being claim 53, etc. Applicants have renumbered the claims accordingly, and apologize for any inconvenience.

Claims 1, 9, 12-18, 22 and 52-54 are currently pending in this application. Claims 6, 8, 10, 11, 19-21, 51 and 55-57 are withdrawn from consideration.

The Title of the invention has now been amended in order to present a more representative title in view of the current status of the application.

In the Official Action of January 3, 2007, claims 1-5, 7, 9, 12-18, 22, 50, 52 and 53 were rejected under 35 U.S.C. 112, first paragraph, on the basis that the specification does not contain an adequate written description of the claimed invention. In particular, the Examiner states that the specification does not support the genus "inducers of P-selectin activity". This ground of rejection is respectfully traversed.

In response, the claims have now been amended in order to recite that the particular inducers of P-selectin activity presently contemplated are soluble P-selectin polypeptide and P-selectin fusion protein. Antecedent support for the amendment is found in the original claims of the application.

As amended, the claims are now believed to be in full compliance with all requirements of 35 U.S.C. 112. This amendment is made for the sole purpose of advancing the prosecution of the application. Moreover, applicants reserve the right to have other species considered for allowance even though those species are currently withdrawn from consideration. In this regard, applicants note that the embodiments now claimed are considered to be free from the prior art.

Applicants have carefully considered the Grunewald et al. reference, cited as of interest, but do not believe that this reference is pertinent to the invention as presently claimed.

In view of the aforementioned facts and reasons, the claims of this application are now believed to overcome any remaining rejections, and to satisfy all requirements for patentability. Accordingly, withdrawal and reconsideration of the rejections, and allowance of the claims in this application, are solicited. The Examiner is invited to contact the undersigned if this would serve to advance the prosecution of this application

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